



Atty. Dkt. No. 069752-0101

90  
AF  
file

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: POOLE et al.

Title: LABEL APPLICATION APPARATUS AND METHOD  
OF OPERATION THEREOF

Appl. No.: 10/762,307

Filing Date: 01/23/2004

Examiner: Melvin C. Mayes

Art Unit: 1734

Confirmation 4625  
Number:

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated May 26, 2006, and in the Advisory Action dated , finally rejecting Claims 1-8, 10-15, 17-20, 22-31 and 33-36.

[ X ] Applicant claims small entity status.

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ X ] Notice of Appeal Fee

11/22/2006 YPOLITE1 00000035 10762307

01 FC:2401

250.00 0P

☒ To be paid as detailed below

☐ Not required (Fee paid in prior appeal)

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00
<input checked="" type="checkbox"/>	Extension Already Obtained for second month:	\$450.00
	FEE TOTAL:	\$1,070.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$535.00
	TOTAL FEE:	\$535.00

A credit card payment form in the amount of \$535.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 21, 2006

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 295-4621

Facsimile: (202) 672-5399

By 

Gilberto M. Villacorta, Ph.D.

Registration No. 34,038

Sunit Talapatra, Ph.D.

Registration No. 54,482